Case 8711RR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of	:	
Bruce Barger, et al.	:	
Serial No. 10/022,027	:	Group Art Unit 1746
Filed: December 13, 2001	:	Examiner S. Carrillo
Confirmation No. 4900	:	
For SYSTEM AND METHOD FOR CLEANING AND/OR TREATING VEHICLES AND THE SURFACES OF OTHER OBJECTS	:	

DECLARATION OF PHILLIP K. VINSON

UNDER 37 C.F.R. SECTION 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. I, Phillip K. Vinson, declare as follows under penalty of perjury.

2. I received a B.S. degree in Chemical Engineering from Purdue University at West Lafayette, Indiana and a Ph.D. in Chemical Engineering from the University of Minnesota in Minneapolis, Minnesota.

3. I am employed as a Principal Scientist by The Procter & Gamble Company, and have been working at Procter & Gamble for thirteen years. My work in graduate school and at Procter & Gamble has been focused on Colloid and Interfacial Phenomena. I have more than fifteen published papers, mostly relating to interfacial phenomena in systems comprising surface active agents and polymers. In addition, I am an inventor or co-inventor on thirty granted US patents, primarily in the field of detergents and associated technologies.

4. I have reviewed PCT Publication WO 01/05920, Aubay, et al. and PCT Publication WO 98/01223 in the name of Yeiser.

5. I understand that the U.S. Patent Office Action in Application Serial No. 10/022,027 has taken the position that it would have been obvious to a person of ordinary skill in the art to have modified the method of Aubay, et al. to include the sprayer of Yeiser having an ion exchange resin, for the purposes of purifying the water used for rinsing of the vehicles.

6. One skilled in the art would not have made that combination as of the filing date of the above application for the following reasons.

7. PCT Publication WO 01/05920, Aubay, et al. is directed to a cleaning composition which is said to be capable of conferring persistent hydrophilic properties on the surface, so as to prevent the subsequent presence of marks due in particular to the drying of drops of water deposited on said surface. The solution proposed by the Aubay, et al. reference was to increase the hydrophilicity of the surface in order to eliminate water drops from forming on the surface. The Aubay, et al. reference teaches a subsequent step of rinsing the vehicle or other surface, and that this is sufficient to produce the desired result.

8. While such a process will provide improved results with respect to spotting, it has been found that other problems can occur using the process described in the Aubay, et al. reference. For instance, visible filming and streaking can occur on the surface of a vehicle, particularly in regions of the surface of a vehicle that form valleys, such as along parts of the hood of some vehicles. This can lead to the vehicle having an appearance that is still less desirable than a vehicle that is hand dried. The Aubay, et al. reference does not recognize this problem, or any solution to this problem.

9. PCT Publication WO 98/01223 issued to Yeiser is directed to a lightweight portable device for converting tap water into a spray of demineralized water. The Yeiser publication also deals with the problem of water spotting. The Yeiser publication teaches washing a vehicle with an aqueous solution, which is apparently a typical solution that leaves the surface of the vehicle hydrophobic because water spots would not otherwise form on the surface. The Yeiser publication teaches a method of eliminating water spots by rinsing the cleaned and washed surface with ordinary tap water to remove the washing solution; and then rinsing off the tap water with a rinse employing demineralized water.

10. One skilled in the art would not have combined the teachings of the Aubay, et al. and Yeiser references as of the filing date of the above application because Yeiser is directed to removing water spots from a hydrophobic surface, and the Aubay, et al. reference teaches a diametrically opposed solution to the same problem – rendering the surface hydrophilic so that water spots are not able to be formed on the surface. One of ordinary skill in the art would only be motivated to use one of these methods to eliminate spotting on a surface.

11. Therefore, there would be no reason to combine the teachings of these references by rinsing a surface that was treated in the manner specified in the Aubay, et al. reference with the Yeiser device since such a combination would involve a process of trying to eliminate spots from a surface that according to the disclosure of the Aubay, et al. reference, already had no spots.

Respectfully submitted,

Phillip K. Vinson

Phillip K. Vinson

January 21, 2004